

serve our Nation in the Armed Forces, and provide some additional opportunities for small business owners looking to expand.

I want to again commend my colleague from New York (Ms. VELÁZQUEZ) for her leadership in bringing this promising and long overdue legislation to the floor.

I think this is a fair rule. Everybody who wanted to offer a germane amendment to this bill could have done so. All the germane amendments are made in order. That is somewhat of a departure from the previous Congress, where we were routinely handed closed rules. So I would urge a "yes" vote on the previous question and on the rule.

The material previously referred to by Mr. HASTINGS of Washington is as follows:

(The information contained herein was provided by Democratic Minority on multiple occasions throughout the 109th Congress.)

**THE VOTE ON THE PREVIOUS QUESTION: WHAT IT REALLY MEANS**

This vote, the vote on whether to order the previous question on a special rule, is not merely a procedural vote. A vote against ordering the previous question is a vote against the Democratic majority agenda and a vote to allow the opposition, at least for the moment, to offer an alternative plan. It is a vote about what the House should be debating.

Mr. Clarence Cannon's Precedents of the House of Representatives, (VI, 308-311) describes the vote on the previous question on the rule as "a motion to direct or control the consideration of the subject before the House being made by the Member in charge." To defeat the previous question is to give the opposition a chance to decide the subject before the House. Cannon cites the Speaker's ruling of January 13, 1920, to the effect that "the refusal of the House to sustain the demand for the previous question passes the control of the resolution to the opposition" in order to offer an amendment. On March 15, 1909, a member of the majority party offered a rule resolution. The House defeated the previous question and a member of the opposition rose to a parliamentary inquiry, asking who was entitled to recognition. Speaker Joseph G. Cannon (R-Illinois) said: "The previous question having been refused, the gentleman from New York, Mr. Fitzgerald, who had asked the gentleman to yield to him for an amendment, is entitled to the first recognition."

Because the vote today may look bad for the Democratic majority they will say "the vote on the previous question is simply a vote on whether to proceed to an immediate vote on adopting the resolution . . . [and] has no substantive legislative or policy implications whatsoever." But that is not what they have always said. Listen to the definition of the previous question used in the Floor Procedures Manual published by the Rules Committee in the 109th Congress, (page 56). Here's how the Rules Committee described the rule using information from Congressional Quarterly's "American Congressional Dictionary": "If the previous question is defeated, control of debate shifts to the leading opposition member (usually the minority Floor Manager) who then manages an hour of debate and may offer a germane amendment to the pending business."

Deschler's Procedure in the U.S. House of Representatives, the subchapter titled "Amending Special Rules" states: "a refusal to order the previous question on such a rule

[a special rule reported from the Committee on Rules] opens the resolution to amendment and further debate." (Chapter 21, section 21.2) Section 21.3 continues: Upon rejection of the motion for the previous question on a resolution reported from the Committee on Rules, control shifts to the Member leading the opposition to the previous question, who may offer a proper amendment or motion and who controls the time for debate thereon."

Clearly, the vote on the previous question on a rule does have substantive policy implications. It is one of the only available tools for those who oppose the Democratic majority's agenda and allows those with alternative views the opportunity to offer an alternative plan.

**AMENDMENT TO H. RES. 330 OFFERED BY REP. HASTINGS OF WASHINGTON**

At the end of the resolution, add the following:

Sec. 3. Notwithstanding any other provision of this resolution, the amendment printed in section 4 shall be in order as though printed as the last amendment in the report of the Committee on Rules if offered by Representative Buyer of Indiana or a designee.

That amendment shall be debatable for 30 minutes equally divided and controlled by the proponent and an opponent.

Sec. 4. The amendment referred to in section 3 is as follows:

Add at the end of the bill the following:

**TITLE III—8(a) PROGRAM**

**SEC. 301. AUTHORITY TO AWARD CONTRACTS UNDER 8(a) PROGRAM TO SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.**

Section 8 of the Small Business Act (15 U.S.C. 637) is amended by adding at the end the following new subsection:

"(O) SMALL BUSINESS CONCERNS OWNED AND CONTROLLED BY SERVICE-DISABLED VETERANS.—

"(1) AWARD OF CONTRACTS.—The Administrator may award a contract under subsection (a) to a small business concern owned and controlled by service-disabled veterans on the same basis as a contract awarded under that subsection to a socially and economically disadvantaged small business concern.

"(2) ANNUAL CERTIFICATION REQUIRED.—The Administrator shall require each small business concern owned and controlled by service-disabled veterans that is a Program Participant under section 7(j)(15) or that is awarded a contract under subsection (a) to certify, on an annual basis, that such concern is a small business concern owned and controlled by service-disabled veterans within the meaning of section 3(q).

"(3) DISADVANTAGED OWNER.—For purposes of this section, in the case of a small business concern owned and controlled by service-disabled veterans, the term 'disadvantaged owner' means an owner who is a service-disabled veteran."

Mr. MCGOVERN. Madam Speaker, I yield back the balance of my time, and I move the previous question on the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. HASTINGS of Washington. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this question will be postponed.

**RECESS**

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 3:30 p.m.

Accordingly (at 2 o'clock and 56 minutes p.m.), the House stood in recess until approximately 3:30 p.m.

□ 1545

**AFTER RECESS**

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DEGETTE) at 3 o'clock and 45 minutes p.m.

**GENERAL LEAVE**

Mr. WALZ of Minnesota. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on House Concurrent Resolution 121.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

**ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE**

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, proceedings will resume on questions previously postponed. Votes will be taken in the following order:

Ordering the previous question on House Resolution 330, by the yeas and nays;

Adopting House Resolution 330, if ordered;

Suspending the rules on H. Con. Res. 7, by the yeas and nays;

Suspending the rules on H.R. 1678, by the yeas and nays;

Suspending the rules on H.R. 493, by the yeas and nays.

The first electronic vote will be conducted as a 15-minute vote. Remaining electronic votes will be conducted as 5-minute votes.

**PROVIDING FOR CONSIDERATION OF H.R. 1332, SMALL BUSINESS LENDING IMPROVEMENTS ACT OF 2007**

The SPEAKER pro tempore. The unfinished business is the vote on ordering the previous question on House Resolution 330, on which the yeas and nays were ordered.

The Clerk read the title of the resolution.

The SPEAKER pro tempore. The question is on ordering the previous question.